

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 08/11/21

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ELIZABETH MAGAZINE,

Plaintiff,

-v-

LEGAL BUSINESS SERVICES, LLC, et al.,

Defendants.
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21-cv-6686 (LJL)

ORDER

LEWIS J. LIMAN, United States District Judge:

This action was filed on August 9, 2021. Dkt. No. 1. The complaint invokes diversity jurisdiction pursuant to 28 U.S.C. § 1332, but it does not specify the citizenship of Defendants Legal Business Services, LLC, Westbury Management Group, LLC, Plaintiff Funding Holding, LLC, and Momentum Funding, LLC, or their members. *See Handelsman v. Bedford Vill. Assocs. Ltd. P'ship*, 213 F.3d 48, 51-53 (2d Cir. 2000) (for diversity purposes, a limited liability company has the citizenship of each of its members and a limited partnership has the citizenship of each of its general and limited partners).

In addition, the complaint suggests that Plaintiff and Momentum Funding, LLC may not be diverse parties for other reasons. It pleads that Plaintiff “is a citizen of Florida” and “Defendant Momentum Funding, LLC, is officed in Boca Raton, Florida.” *Id.* ¶¶ 3, 8; *see also* 28 U.S.C. § 1332(c)(1) (“[A] corporation shall be deemed to be a citizen of any State by which it has been incorporated and of the State where it has its principal place of business.”); *Pelman v. McDonald's Corp.*, 237 F. Supp. 2d 512, 521 (“Section 1332 requires complete diversity of citizenship; therefore no defendant may share citizenship with a plaintiff.”).

Plaintiff is directed to file a letter with the Court by August 25, 2021 showing cause why the complaint should not be dismissed for failure to plead diversity jurisdiction. In the alternative, Plaintiff may file an amended complaint properly invoking diversity jurisdiction.

SO ORDERED.

Dated: August 11, 2021
New York, New York

A handwritten signature in black ink, appearing to read "L. Liman", is written above a horizontal line.

LEWIS J. LIMAN
United States District Judge